

### REMARKS

This is in response to the final Office Action mailed on May 18, 2005 where claims 1-15 were pending. With this response, none of the claims are amended or canceled, and no new claims are added.

Claims 11-15 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Specifically, the Office Action stated that "[c]laim 11 is a computer per se, and is not tangibly embodied on a computer readable medium.

Applicant respectfully traverses this rejection. First, the U.S. Court of Appeals for the Federal Circuit has recently held that "[w]ithout question, software code alone qualifies as an invention eligible for patenting" apart from a tangible readable medium. *AT&T Corp. v. Microsoft*, No. 04-1285, p. 3 (Fed. Cir. July 13, 2005) citing *Eloas Tech. Inc. v. Microsoft Corp.*, 399 F.3d 1325 (Fed. Cir. 2005). Software code claimed in conjunction with a physical structure, such as a computer readable medium, fits within at least two categories of patentable subject matter. *Eloas*, 399 F.3d 1325. Second, the claims are directed to a system having logic components. Notwithstanding the above, under no reasonable interpretation can this claim be construed to foreclose a hardware embodiment. Accordingly, the claims are not directed to a computer program per se. For at least these reasons, the rejection under 35 U.S.C. 101 should be withdrawn.

Claims 1-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Hunkins and in further view of TurboTax. Applicant respectfully traverses this rejection for at least the reason that as any proposed combination of references does not teach or suggest all of the limitations of the claims.

The Office Action included a section directed to limitations in elements (b) and (c) in independent claims 1, 6 and 11. The Office Action states that Miller fails to disclose these limitations. The Office Action states that "Hunkins contemplates storing data in duplicate both within a single database, and between multiple databases in an organization. The benefit would have been to maintain multiple copies of critical information."

The claims set forth more than a method or system that just "maintain multiple copies of critical information" because they also specifically allocate distinct uses and interconnections for

each of the two tables, which are not shown or suggested in Hunkins or the other prior art of record. The claims set forth in elements (b) and (c) of the independent claims, among other things, that "the revenue services database stores tax return data in duplicate, in a first table on the revenue services database and in a second table on the revenue services database . . . [and that] extracted tax return data is provided to a legacy processing system from the first table and the extracted tax return data is provided to a corporate information database from the second table . . . ." These features of the claims enable data extraction for the corporate information database and the legacy processing system to be performed independently of one another, features that are neither shown nor suggested in Hunkins or the other prior art of record.

In particular, element (c) of the independent claims recites, among other things, "extract[ing] a portion of the tax return data from the revenue services database, such that the extracted tax return data is provided to a legacy processing system from the first table and the extracted tax return data is provided to a corporate information database from the second table." Hunkins describes automated synchronization of data within a database structure to optimize data integrity of duplicate data in various databases. Nowhere does Hunkins or the prior art of record teach or suggest extracting different portions of the data for varying databases within a network-based database interface for the possibility of independent use in completely different applications. Thus, they would not exist in any proposed combination of references.

The Office Action also contained a section directed to the limitations in element (d) in independent claims 1, 6, and 11. The Office Action states that "Miller does not specifically teach (d)." The Office Action also states that Hunkins teaches that a single change order to administration only requires one update to a computer system having a centralized database. This computer then performs automatic update and synchronization of all external databases. "It would have been obvious . . . to combine the teachings of Miller and Hunkins because both relate to organizations that access multiple databases containing some duplicate data."

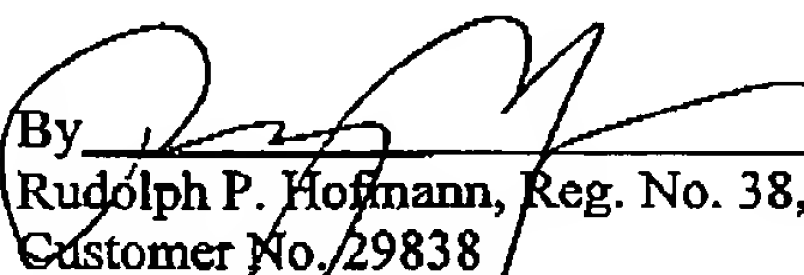
The present claims are clearly distinguishable from Hunkins, and do more than access multiple databases containing some duplicate data. Specifically, the claims set forth, among other things, "(d) completing [a] tax-related forms" such that "[1] a first set of fields from the plurality of fields are filled based on the tax return data, wherein the tax return data on which field filling is based is extracted from both the legacy processing system and a succeeding

processing system, . . . [2] a second set of fields from the plurality of fields is populated based on data entered into a first set of fields, and . . . [3] the revenue services database mirrors data tables on the succeeding processing system." Hunkins (and the prior art of record) nowhere shows or suggests that "the tax return data on which field filling is based is extracted from both the legacy processing system and a succeeding processing system." In addition the single update to multiple databases feature of Hunkins does not show or suggest that "a second set of fields from the plurality of fields is populated based on data entered into a first set of fields." Still further, Hunkins (and the prior art of record) does not show or suggest mirroring on a "succeeding processing system."

These items, among others, are not taught or suggested in Hunkins or the prior art of record and thus would not exist in any proposed combination of the references. For at least these reasons, Applicant respectfully submits that the independent claims and corresponding dependent claims are patentably distinguishable from the prior art of record.

Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7340. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-357801).

Respectfully submitted,

By   
Rudolph P. Hoffmann, Reg. No. 38,187  
Customer No. 29838  
OPPENHEIMER WOLFF & DONNELLY LLP  
45 South Seventh Street, Suite 3300  
Minneapolis, Minnesota 55402  
Telephone: 612-607-7340